

our compliance with our duties (Exhibit C). Thus, it is a mystery what exactly Suffolk seeks in its motion.

It appears that Suffolk may want the MDL class plaintiffs to turn over the documents the MDL plaintiffs actually receive from a defendant. However, it is not our right to decide what Suffolk, which has extremely more limited claims than the MDL plaintiffs, is entitled to receive — that is between Suffolk and defendants. Our job is to attempt to coordinate discovery and we are doing so. No one is prohibiting Suffolk from participating in discovery. Suffolk's motion was unnecessary and should be denied.

DATED: May 11, 2004.

By Steve W. Berman, signature on file
Thomas M. Sobol (BBO#471770)
Edward Notargiacomo (BBO#567636)
Hagens Berman LLP
225 Franklin Street, 26th Floor
Boston, MA 02110
Telephone: (617) 482-3700
Facsimile: (617) 482-3003
LIAISON COUNSEL

Steve W. Berman
Sean R. Matt
Kevin P. Roddy
Hagens Berman LLP
1301 Fifth Avenue, Suite 2900
Seattle, WA 98101
Telephone: (206) 623-7292
Facsimile: (206) 623-0594

Samuel Heins
Brian Williams
Heins, Mills & Olson, P.C.
3550 IDS Center
80 South Eighth Street
Minneapolis, MN 55402
Telephone: (612) 338-4605
Facsimile: (612) 338-4692

Jeffrey Kodroff
John Macoretta
Spector, Roseman & Kodroff, P.C.
1818 Market Street, Suite 2500
Philadelphia, PA 19103
Telephone: (215) 496-0300
Facsimile: (215) 496-6611
**CHAIRS OF LEAD COUNSEL
COMMITTEE**

Marc H. Edelson
Alan Hoffman
Hoffman & Edelson
45 West Court Street
Doylestown, PA 18901
Telephone: (215) 230-8043
Facsimile: (215) 230-8735

Kenneth A. Wexler
Elizabeth Fegan Hartweg
The Wexler Firm
One North LaSalle Street, Suite 2000
Chicago, IL 60602
Telephone: (312) 346-2222
Facsimile: (312) 346-0022
**MEMBERS OF LEAD COUNSEL
COMMITTEE AND EXECUTIVE
COMMITTEE**

Michael McShane
Alexander, Hawes & Audet, LLP
300 Montgomery Street, Suite 400
San Francisco, CA 94104
Telephone: (415) 982-1886
Facsimile: (415) 576-1776

Robert E. Piper, Jr.
Piper & Associates
624 Pierre Avenue
Shreveport, LA 71103
Telephone: (318) 226-0826
Facsimile: (318) 424-9900
**MEMBERS OF EXECUTIVE
COMMITTEE**

Anthony Bolognese
Bolognese & Associates
One Penn Center
1617 JFK Boulevard
Suite 650
Philadelphia, PA 19103
Tel: (215) 814-6750
Fax: (215) 814-6764

Jonathan W. Cuneo
The Cuneo Law Group
317 Massachusetts Avenue, N.E.
Suite 300
Washington, D.C. 20002
Tel: (202) 789-3960
Fax: (202) 789-1813

Neal Goldstein (Of Counsel)
Freedman & Lorry, PC
400 Market Street, Suit 900
Philadelphia, PA 19106
Tel: (215) 925-8400
Fax: (215) 925-7516

Michael E. Criden
Hanzman & Criden, PA
Commerce Bank Center, Suite 400
220 Alhambra Circle
Coral Gables, FL 33134
Tel: (305) 357-9000
Fax: (305) 357-9050

Blake M. Harper
Kirk B. Hulett
Hulett Harper LLP
550 West C Street
Suite 1700
San Diego, CA 92101
Tel: (619) 338-1133
Fax: (619) 338-1139

Jonathan D. Karmel
Karmel & Gilden
221 N. LaSalle Street
Suite 1414
Chicago, IL 60601
Tel: (312) 641-2910
Fax: (312) 641-0781

Dianne M. Nast
Roda & Nast, PC
801 Estelle Drive
Lancaster, PA 17601
Tel: 717-892-3000
Fax: 717-892-1200

Henry H. Rossbacher
Rossbacher & Associates
811 Wilshire Boulevard,
Suite 1650
Los Angeles, CA 90017-2666
Tel: (213) 895-6500
Fax: (213) 895-6161

Jonathan Shub
Sheller, Ludwig & Badey, P.C.
1528 Walnut Street, 3rd fl
Philadelphia, PA 19102
Tel: (215) 790-7300
Fax: (215) 546-0942

Scott R. Shepherd
Shepherd & Finkleman, LLC
117 Gayley Street,
Suite 200
Media, PA 19063
Tel: (610) 891-9880
Fax: (610) 891-9883

Lisa J. Rodriguez
Ira Neil Richards
Trujillo Rodriguez & Richards, LLC
The Penthouse
226 West Rittenhouse Square
Philadelphia, PA 19103
Tel: (215) 731-9004
Fax: (215) 731-9044

Mitchell A. Toups
Weller, Green, Toups & Terrell, L.L.P.
2615 Calder Street, Suite 400
P.O. Box 350
Beaumont, TX 77704
Tel: (409) 838-0101
Fax: 409-838-6780

Damon Young
Lance Lee
Young, Pickett & Lee
4122 Texas Boulevard
P.O. Box 1897
Texarkana, AR/TX 75504
Tel: (903) 794-1303
Fax: 903-792-5098; 903-794-5098
**ADDITIONAL ATTORNEYS FOR
PLAINTIFFS**

CERTIFICATE OF SERVICE

I hereby certify that I, Steve W. Berman, an attorney, caused a true and correct copy of the foregoing **RESPONSE OF LIAISON COUNSEL TO SUFFOLK COUNTY'S MOTION RESPECTING COORDINATED DISCOVERY** to be served on all counsel of record electronically on May 11, 2004, pursuant to Section D of Case Management Order No. 2.



Steve W. Berman
HAGENS BERMAN LLP
1301 Fifth Avenue, Suite 2900
Seattle, WA 98101
(206) 623-7292

EXHIBIT A

HAGENS BERMAN LLP
Attorneys at Law

BOSTON LOS ANGELES PHOENIX SEATTLE

hagens-berman.com

1301 FIFTH AVENUE, SUITE 2900 • SEATTLE, WA 98101
(206) 623-7292 • FAX (206) 623-0594

STEVE W. BERMAN
(206) 224-9320
steve@hagens-berman.com

April 28, 2004

Via Facsimile

Ms. Joanne M. Cicala
Kirby McInerney & Squire, LLP
830 Third Avenue
New York, NY 10022

Re: In re Pharmaceutical Industry Average Wholesale Price Litigation
MDL No. 1456

Dear Counsel:

Enclosed is a letter acknowledging the production of documents by two defendants. As liaison counsel we give you notice of this production. If you want copies please contact defense counsel who we assume can sort out which documents the County of Suffolk is entitled to.

Sincerely,



Steve W. Berman

SWB:hw

Enclosure

EXHIBIT B



BOSTON LOS ANGELES PHOENIX SEATTLE

hagens-berman.com

1301 FIFTH AVENUE, SUITE 2900 • SEATTLE, WA 98101
(206) 623-7292 • FAX (206) 623-0594

STEVE W. BERMAN
(206) 224-9320
steve@hagens-berman.com

April 28, 2004

Via Facsimile

Ms. Joanne M. Cicala
Kirby McInerney & Squire, LLP
830 Third Avenue
New York, NY 10022

Re: In re Pharmaceutical Industry Average Wholesale Price Litigation
MDL No. 1456

Dear Counsel:

The AMCC plaintiffs will take a 30(b)(6) deposition of a BMS representative on May 19, 2004. The deposition will be conducted at the offices of Hogan & Hartson. In addition, BMS has produced roughly 50 boxes in recent weeks. You can make arrangements for production with defense counsel.

Sincerely,

A handwritten signature in black ink, appearing to be "Steve W. Berman", with a long, sweeping horizontal line extending to the right.

Steve W. Berman

SWB:hw

cc: Lyndon Tretter (via e-mail)

EXHIBIT C

KIRBY MCINERNEY & SQUIRE, LLP

TELEPHONE:(212) 871-8800
(212) 317-2300
FACSIMILE:(212) 751-2540

830 Third Avenue
New York City 10022

IRVING MALCHMAN, OF COUNSEL

April 30, 2004

Via Facsimile 206-623-0594

Steve W. Berman, Esq.
Hagens Berman LLP
1301 Fifth Avenue, Suite 2900
Seattle, WA 98101

Re: *MDL 1456* (549.01)

Dear Counsel:

Thank you for your April 28, 2004 letters advising of the (a) the new date for the BMS 30(b)(6) deposition and the recent BMS document productions; and (b) the April 26, 2004 Pharmacia and Pfizer productions.

Very truly yours,



Joanne M. Cicala